



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



June 4, 2004

LETTER OF DEFICIENCY #WSEB 04-075
Certified Mail #7000 0600 0023 9932 6337

Ellen MacDonald
Davis Hill Homeowners Association
PO Box 565
Conway, NH 03818

Subject: Conway - Public Water System: Davis Hill (EPA #0512260)

Dear Ms. MacDonald

The records of the NH Department of Environmental Services (DES) show that Davis Hill water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 321 through 330.

The federal Environmental Protection Agency promulgated new radionuclide rules governing the acceptable levels of radionuclides in the Nation's community public water systems. Consequently, DES recently adopted new rules in conformance with the federal requirements. New maximum contaminant levels (MCLs) were established and additional requirements instituted for the currently regulated radionuclides. Note that the new Uranium standard became effective in January, 2004. Compliance is determined upon completion of four quarterly samples, unless any one sample result would cause the running annual average to exceed the MCL. Because your results, outlined below, meet these criteria, the system is currently in violation.

SITE: #000 Dep Tap/Pump House/Blend 002 and 004

Contaminant	MCL (units)	Historical range	Latest result (date)	Violation (yes/no)
Uranium	30 ug/L	133 – 153 ug/L	133 ug/L (4/26/04)	yes

DES believes the MCL violation(s) can be corrected and future violations prevented by taking the following actions:

By June 21, 2004, provide public notice of the exceedence(s) following the guidelines on the enclosed public notice handout. Continue providing public notice **each calendar quarter** for as long as the exceedence occurs; and

2. Upon request, you shall make alternate (*i.e.* bottled) water available for human consumption. If bottled water is used, the source must be an approved source, monitored in accordance with Env-Ws 389;
3. **By July 1, 2004**, provide proof of public notice to this office following the guidelines on the enclosed public notice handout.
4. **By June 21, 2004**, retain the services of a qualified consultant to address the water quality violation(s) and notify DES, in writing, of the name of the consultant hired. The consultant should review all existing water quality data prior to making recommendations for correcting the MCL violation(s); and

By August 3, 2004, submit to DES the consultant's report, which shall contain the consultant's recommendations, and cost estimates, along with an implementation schedule to correct the MCL violation(s). A maintenance schedule must be included if treatment is proposed. DES must approve the consultant's report/recommendations, the maintenance schedule, and the proposed implementation schedule prior to any work being done on the system; and

6. By the DES-approved correction date, take the corrective action as approved by DES. Notify DES in writing upon completion of the action(s) taken; and
7. Continue to sample in accordance with your Master Sampling Schedule, which includes **quarterly sampling for uranium.**

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The information as requested above should be addressed as follows or faxed to (603) 271-517

Anne Bailey
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

It is important to note that while a Radon standard has not yet been finalized, your levels have ranged from 1100 pCi/L to 2500 pCi/L. The most recent Federal standard proposed was 4,000 pCi/L if a Multimedia Mitigation Program (MMM) was in effect for that community. Without such an MMM program the maximum acceptable Radon level in drinking water could not exceed 300 pCi/L.

For your information, a fact sheet on Mineral Radioactivity is available at:
<http://www.des.state.nh.us/ws.htm>. This fact sheet includes general information, health effects and removal options. Please be reminded that proposed treatment alternatives should take into consideration all water quality parameters as well as current and future quantity needs. Bernie Lucey, P.E., may be able to answer questions concerning treatment for the aforementioned contaminant(s). He may be reached at (603) 271-2952 or via email at blucey@des.state.nh.us. If you have any questions regarding this letter, please contact Selina J. Makofsky, P.G., at (603) 271-4109 or by email at smakofsky@des.state.nh.us.

Sincerely,

COPY



Rene Pelletier, P.G., Manager
Land Resource Programs

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Encls: Master Sampling Schedule
Public Notice Form

cc: Gretchen R. Hamel, DES Legal Unit Administrator (w/out encl.)
Bernie Lucey, P.E., DES (via email w/out encl.)
Jeanne D. Lawson, DES (w/out encl.)
Town of Conway Health Officer (w/out encl.)
Francis Lyons, FX Lyons, Inc., Primary Contact/Primary Operator
Beth Deabay, EPA Region 1 (via e-mail w/out encl.)
EPA, Region 1 (w/out encl.)
File